

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SFMB MANAGEMENT, LLC,

Plaintiff,

-V-

STARR SURPLUS LINES INSURANCE COMPANY,

Defendant.

21-CV-5041 (JMF)

ORDER


JESSE M. FURMAN, District Judge:

On June 8, 2021, this action was removed from the Supreme Court of New York, New York County, by Defendant Starr Surplus Lines Insurance Company. *See* ECF No. 1 (“Notice of Removal”). On June 11, 2021, Defendant moved to withdraw its Notice of Removal and for remand to state court, *see* ECF No. 9, because Defendant is a citizen of New York and thus barred under the forum defendant rule from removing from New York State court on the sole basis of diversity of citizenship after having been served with the summons and Complaint, *see* 28 U.S.C. § 1441(b)(2); *Gibbons v. Bristol-Myers Squibb Co.*, 919 F.3d 699, 704-05 (2d Cir. 2019).

Defendant's motion for remand is GRANTED, and this action is hereby REMANDED to the Suopreme Court of the State of New York, New York County. Any pending motions are moot and any conferences are canceled. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: June 11, 2021
New York, New York


JESSE M. FURMAN
United States District Judge